UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF TEXAS
JUAN ANTONIO MARTINEZ,	\{\} \{\}
Plaintiff,	8 8
versus	§ CIVIL ACTION NO. 9:23-CV-27
SERGIO PEREZ, et al.,	8
Defendants.	§ §

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Juan Antonio Martinez, an inmate confined at the Gib Lewis Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this action against Sergio Perez, the Texas Department of Criminal Justice, and the Gib Lewis Unit.¹

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the action without prejudice. To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

Plaintiff originally named Martin Perez as the lead defendant in this action. On July 10, 2023, however, the magistrate judge granted plaintiff's motion to correct the defendant's name to Sergio Perez.

SIGNED at Beaumont, Texas, this 13th day of July, 2023.

Marcia A. Crone

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE